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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/630,423	07/29/2003	Kiran K. Chada	69014-A

Gary J. Gershik  
Cooper & Dunham  
1185 Avenue of the Americas  
New York, NY 10036



CONFIRMATION NO. 1805  
FORMALITIES LETTER



\*OC000000012933330\*

Date Mailed: 06/15/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application is objected to because it contains a data file on CD-ROM/CD-R, however, the transmittal letter does not list for each compact disc, the machine format, the operating system compatibility, a list of files contained on the compact disc including their names, sizes in bytes, and dates of creation, plus any other special information that is necessary to identify, maintain, and interpret the information on the compact disc as required by 37 CFR 1.52(e)(3). A statement listing the required information is required. Additionally, the disc(s) is not identified in the paper portion of the specification with a listing of all of the files contained on the disc. When portions of an application are contained on a compact disc, the paper portion of the specification must identify the compact disc(s) and list the files including name, file size, and creation date on each of the compact discs. See 37 CFR 1.52(e). Applicant(s) are required to amend the specification to identify each disc and the files contained on the disc including the file name, file size, and file creation date.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

07/29/2004 MBLAND 00000001 10630423

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65.00 OP

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

**Items Required To Avoid Processing Delays:**

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- *The compact disc(s) are not properly enclosed in a hard compact disc case with an unsealed padded and protective mailing envelope (see 37 CFR 1.52(e)(3)).*

Replies should be mailed to:    Mail Stop Missing Parts  
   Commissioner for Patents  
   P.O. Box 1450  
   Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

Y.G.  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Docket No. 69014-A/GJG

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Kiran K. Chada et al.  
Serial No. : 10/630,423  
Filed : July 29, 2003  
For : METHODS OF IDENTIFYING ADIPOCYTE SPECIFIC  
GENES, THE GENES IDENTIFIED, AND THEIR  
USES

1185 Avenue of the Americas  
New York, New York 10036  
July 23, 2004

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

COMMUNICATION IN RESPONSE TO JUNE 15, 2004 NOTICE  
TO FILE MISSING PARTS OF APPLICATION FILING DATE GRANTED

This Communication is submitted in response to a June 15, 2004 Notice to File Missing Parts of Application - Filing Date Granted issued by the United States Patent and Trademark Office in connection with the above-identified application. A response to the June 15, 2004 Notice is due August 15, 2004. However, since August 15, 2004 falls on a Sunday, the next succeeding day which is not a Saturday, Sunday or Federal holiday, i.e. Tuesday, August 16, 2004, is considered timely under 37 C.F.R. §1.7. Accordingly, this Communication is being timely filed.

The Notice to File Missing Parts of Application indicates that the oath or declaration is unsigned. Applicants attach hereto a copy of the Notice as **Exhibit 1**. In response, applicants submit as **Exhibit 2** hereto a copy of the signed Declaration and Power of

Applicants : Kiran K. Chada et al.  
Serial No. : 10/630,423  
Filed : July 29, 2003  
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Attorney pursuant to 37 C.F.R. §1.53(f). In compliance with 37 C.F.R. §1.63, the Declaration refers to the application's above-identified serial number and filing date.

The surcharge under 37 C.F.R. §1.16(e) for responding to the Notice to File Missing Parts of Application is SIXTY FIVE DOLLARS (\$65.00) for a small entity, and a check for a total amount of \$65.00 is enclosed.

Also, in response to the June 15, 2004 Notice, applicants submit a Sequence Listing attached hereto as **Exhibit 4** in compliance with the requirements of §1.821-1.825. In addition, applicants submit herewith the Sequence Listing in computer readable form on the enclosed CD-R. Moreover, applicants submit as **Exhibit 3** a Statement In Accordance With 37 C.F.R. §1.821(f) certifying that the computer readable form and paper copy are the same.

Further in response to the June 15, 2004 Notice, applicants note in compliance with 37 C.F.R. §1.52(e)(3) the following information about the CD-R submitted herewith:

File Name: 69014-PRO2.ST25  
Date Recorded: July 29, 2003  
Computer: IBM PC Compatible  
Software: PatentIn Release 3.1  
Applicants: Kiran K. Chada et al.  
U.S. Serial No.: 10/630,423  
Filing Date: July 29, 2003.

Applicants note that this information also appears on the first page of the subject application in compliance with 37 C.F.R.

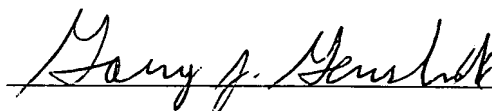
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Serial No. : 10/630,423  
Filed : July 29, 2003  
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1.52(e).

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicant's undersigned attorneys invite the Examiner to telephone the number provided below.

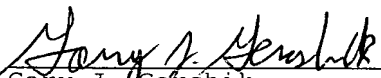
No fee, other than the enclosed \$65.00 surcharge fee, is deemed necessary in connection with the filing of this Communication. If any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



Gary J. Gershik  
Registration No. 39,992  
Attorney for Applicant  
Cooper & Dunham LLP  
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New York, New York 10036  
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22131-1450.

 7/23/04  
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Gary J. Gershik Date  
Reg. No. 39,992